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The Hon. John Britton represented the Petitioner on the pending charges of the Unlawful Distribution of Controlled Substances (x2), a violation of Section 13A-12-211, of the Code of Alabama 1975, and the Unlawful Possession of Marijuana; first degree, a violation of Section 13A-12-213, of the Code of Alabama 1975.

The Petitioner, with retained attorney John Britton, appeared at the Arraignment of the Petitioner on February 16, 2001 and the Petitioner waived a reading of the indictment(s) in open Court and entered a plea of not guilty on all counts.

On April 9, 2001, Petitioner Heath and Attorney Britton appeared before the Circuit Court of Russell County to withdraw his plea of not guilty on all counts and entered a plea of guilt to the offense(s) of Distribution of Controlled Substances (x2) and the Unlawful Possession of Marijuana; first degree. The Court allowed Petitioner Heath to withdraw his plea(s) of guilt on all counts and a Sentencing Hearing was scheduled for May 31, 2001.

The Petitioner was sentenced on May 31, 2001 and his punishment was fixed for the offense of Distribution of Controlled Substances (Count One, CC-01-036), under the Alabama Habitual Felony Offender Act, to a term of thirty (30) years in the State penitentiary. The Petitioner was sentenced for the offense of Unlawful Possession of Marijuana; first degree, (Count Two, CC-01-036), under the provisions of the Alabama Habitual Felony Offender Act, to a term of thirty (30) years in the State penitentiary. The Petitioner was also sentenced for the offense of Distribution of Controlled Substances, to a term of thirty (30) years in the State penitentiary, also pursuant to the Alabama Habitual Felony Offender Act. All three sentences were ordered to run concurrently.

~~EXHIBIT 2 (1)~~

EXHIBIT (2)